FILED

MAY 28 2015

N.J. BOARD OF NURSING

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By: Barbara J.K. Lopez Deputy Attorney General (973) 648-7454

> STATE OF NEW JERSEY DEPARTMENT OF LAW & PUBLIC SAFETY DIVISION OF CONSUMER AFFAIRS BOARD OF NURSING

IN THE MATTER OF THE APPLICATION : FOR LICENSURE OF

Administrative Action

KIERA D. HOLMES

IN THE STATE OF NEW JERSEY

CONSENT ORDER

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of Kiera D. Holmes's application for licensure as a Licensed Practical Nurse by examination, including voluntary consent for a criminal history background check. Upon review of the results of the criminal history background check, the Board ascertained that the applicant was arrested on August 21, 2007, by members of the Lindenwold Police Department and charged with violating N.J.S.A. 2C:28-4(a) (False Reports to Law Enforcement). On October 18, 2007, the applicant

was found guilty in the Lindenwold Municipal Court of the amended charge of violating a local ordinance of Disorderly Conduct and assessed fines and costs totaling two hundred eight-three dollars (\$283).

The applicant failed to disclose this arrest and conviction on her application for licensure, answering "No" to the question which asked if she had ever been arrested and "No" to the question which asked if she had ever been convicted of any offense, which included any plea of guilty or finding of guilty. The applicant later maintained that although she knew she had been arrested and found guilty of an offense, she checked "no" to both answers because the criminal matter had not shown up on any previous background checks that she had undergone and someone at her nursing school and a clerk at the police department told her it would not appear on or affect a criminal background check.

The applicant provided copies of the police incident report and the disposition from the municipal court. The applicant explained that she called police twice and falsely told police that her boyfriend had held a gun to her head and threatened to kill her with a gun and a knife. The applicant further explained that she completely fabricated the stories because she was mad at her boyfriend. The applicant now understands the severity of her

actions and expresses remorse. She and the boyfriend are now married, have children, and are able to calmly talk through any issues they have with one another.

The Board finds that the applicant misrepresented her criminal history on the application which constitutes a violation of $N.J.S.A.\ 45:1-21(b)$.

The Board having reviewed this matter, and having considered the nature and timing of the above conduct, and the parties desiring to resolve this matter, and the Board having determined that the within Order is sufficiently protective of the public, in lieu of further proceedings, and for other good cause shown;

HEREBY ORDERED AND AGREED that:

- 1. Kiera D. Holmes's application for licensure as a Licensed Practical Nurse shall be granted upon proof of successful completion of the National Council Licensure Examination for Practical Nurses (NCLEX-PN).
- 2. A civil penalty in the amount of five hundred dollars (\$500) is hereby imposed upon the applicant for failing to disclose her arrest and conviction on her application. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer,

direct deposit, or credit card payment submitted contemporaneously with this signed Order. Any other form of payment will be rejected and will be returned to the party making the payment.

3. The applicant shall obey all the laws of the State of New Jersey, the United States and their political subdivisions, as well as all regulations, rules or laws pertaining to the practice of nursing in any State or jurisdiction in which she practices nursing.

NEW JERSEY STATE BOARD OF NURSING

By:

Patricia Murphy, PhD, APN

Board President

I have read and understand the within Consent Order and agree to be bound by its terms.

Kiera D. Holmes